

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
v.)	Cr. No. 1:19-cr-10040-JDB
)	
ALEXANDER ALPEROVICH, M.D.)	

MOTION TO CONTINUE REPORT DATE

Comes the defendant, Alexander Alperovich, M.D., through counsel, and respectfully moves this Court for a continuance of the report date in this matter currently scheduled for June 12, 2019 at 9:15 AM (Doc. 75). Given the volume of the discovery materials and the complexity of the case, it is respectfully suggested that at least a 60-day continuance of the report date be granted.

In further support, the following is stated:

(1) On April 15, 2019, a Grand Jury for the Western District of Tennessee returned a 15 count Indictment against Alexander Alperovich, M.D., Jeffrey W. Young, Jr., and Andrew Rudin, M.D. [Doc. 4]. Dr. Alperovich is only listed as a named defendant in Count 1, which charges a conspiracy among the three defendants – all medical providers - to distribute controlled substances “outside the course of professional practice and without a legitimate medical purpose” in or around July 2014 through January 2017. *Id.* at p. 2, 7. According to the allegations in the Indictment, however, Dr. Alperovich “joined the conspiracy in or around December 2015, and continued in it, to in or around July 2016.” *Id.* at p. 9, para. 31. Dr. Alperovich’s role during these

months is alleged to have been as the supervising physician for Jeffrey W. Young, Jr., a nurse practitioner. *Id.* at p. 10, para. 31.

(2) Upon written request of the defendant, the government provided discovery via two separate electronic productions on May 15 and 16, 2019. The first production via a harddrive contains documents numbered 151389 through 10,612,650. [Doc. 77]. The second production, which was made via electronic download, contains documents labeled 1 through 151,012. *See* Discovery Response of May 15, 2019 (attached hereto, not filed previously on ECF).

(3) The materials produced to date are an extremely large number of items and include not only documents but also recordings. Many of the materials in the second electronic production via download are in a compressed format, reducing their actual electronic file size. Even so, the items provided consist of 123.63 gigabytes of materials.

(4) Counsel is in the process of reviewing the materials provided, but additional time is needed to fully analyze the discovery provided.

(5) Defense counsel have conferred with counsel for the government, and the government does not oppose this motion.

(6) This motion is not submitted for the purpose of procrastination or unreasonable delay in this matter or some other improper purpose, but rather is made so that counsel may provide the defendant with the effective assistance of counsel to which he is entitled, that the defendant receive zealous representation, and that the defendant, through counsel, is able to adequately review discovery, research potential issues to be raised via motion, and investigate and develop evidence necessary to present a defense to the charged offenses. *See* 18 U.S.C. § 3161(h)(7)(B); Tenn. Sup. Ct. R. 8, Rules of Prof. Conduct; U.S. Const. Amend. VI.

Respectfully submitted,

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/s/Stephen Ross Johnson

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CERTIFICATE OF SERVICE

I hereby certify that on June 10, 2019, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

s/Stephen Ross Johnson